

CONSERVATION COMMISSION MEETING MINUTES

JULY 25, 2006

PRESENT: Shawn Costello, David Hurley, James Gage (arr. 7:06), Walter Moody, Jesse Amsel, Glenn Eberly and George Nickerson (arr. 7:15)

ABSENT: None

STAFF

PRESENT: Rob Phillips, Town Planner & Reanna Goodreau, Recording Secretary

I. CALL TO ORDER:

Chairman Costello called the Ellington Conservation Commission meeting to order at 7:04 PM.

II. PUBLIC COMMENTS: NONE

III. UNFINISHED BUSINESS:

1. Review of the open space proposal for the Przybylski Subdivision located at 45 Crane Road, APN 069-001-0000 (4 lots, 64.35 acres)

Mark Peterson, project engineer, briefly reviewed the proposal. He noted that the subject parcel that fronts on Crane and Abbott Roads is approximately 64 acres. There will be an existing home on the Crane Road side and three new lots on the Abbott Road side. Mr. Peterson presented the open space dedication plan, noting that the open space is proposed at the southwest corner of the parcel. The open space as proposed has approximately 370' of frontage and is approximately 6 ½ acres.

Commissioner Gage asked if the property owner would still prefer the fee in-lieu of open space and was told yes. Chairman Costello asked if this section of the property was currently being farmed and was told that it was currently wooded with some open areas. Mr. Schaub, property owner, said that he would use that area for his cows. Chairman Costello asked if there were any wetlands issues and Mr. Peterson replied that he did not believe so, but the soil scientist only delineated from Abbott Road to the powerline easement.

There was a discussion about the logistics of leasing the land to the property owner for farming. Chairman Costello explained that it would be up to the Board of Selectmen to decide the lease.

MOVED (MOODY), SECONDED (HURLEY) AND PASSED (AYES: AMSEL, COSTELLO, HURLEY, MOODY & EBERLY; NAY: GAGE; NICKERSON WAS NOT PRESENT FOR THE VOTE) TO RECOMMEND TO THE PLANNING & ZONING COMMISSION THAT THEY ACCEPT THE 6 ½ ACRES OF LAND FRONTING CRANE ROAD AS THE OPEN SPACE CONTRIBUTION FOR THE PRZYBYLSKI SUBDIVISION AND LEASE THE LAND BACK TO THE PROPERTY OWNER FOR FARMING AT THE RATE OF \$1 PER YEAR.

2. Review of the open space proposal for the Middlefield Estates Subdivision located on 51 Middle Road, APN 043-007-0000 (10 lots, 16.77 acres)

Robert Phillips, Town Planner, explained that the applicant wanted to move forward with this subdivision application with the Planning & Zoning Commission. The applicant had presented two plans; an open space plan with a thin open space strip along the northern property line and a fee-in-lieu proposal. He stated that the applicant requested the fee in-lieu of open space as the thin strip of open space would be ineffective. In light of this, he recommended that a conservation easement of 75 feet in width be incorporated toward the eastern property line next to the town-owned land comprised mostly of wetlands for a potential wildlife corridor. This easement did not include the detention basin.

THE PLANNING & ZONING COMMISSION ACTED ON THE APPLICATION AT THEIR 7/24/06 MEETING; THEREFORE, NO ACTION WAS TAKEN.

THE COMMISSION WENT OUT OF AGENDA ORDER TO ADDRESS NEW BUSINESS.

IV. NEW BUSINESS:

1. Review of the open space proposal for the 12 Jobs Hill Road Subdivision located at 12 Jobs Hill Road, APN 072-001-0000 (6 lots, 17.806 acres)

Wes Wentworth, project engineer & soil scientist, reviewed the proposal. The subject parcel fronts on Jobs Hill and Sadds Mill Roads and is approximately 18 acres. There will be 6 lots, which will range from approximately 1 ½ acres to 4 acres. He noted the wetlands in the center of the lot and explained that the wetland includes farms ponds and wooded areas. The parcel is currently agricultural land. Mr. Wentworth stated that they are proposing fee in-lieu of open since there is no existing open space to connect with.

Chairman Costello stated that he would like to walk the site prior to the next meeting.

CONTINUED TO THE AUGUST 29, 2006 MEETING.

THE COMMISSION RETURNED TO ORIGINAL AGENDA ORDER.

III. UNFINISHED BUSINESS:

3. Disposition of funds when the Town sells land

Reanna Goodreau explained that at the last meeting she read Attorney Ryan's email response to the commission's question, which stated that earmarking funds is a policy decision for the Town. She stated that he noted that all boards and commissions need to agree to a policy and the recording of that policy, which could be a charter, ordinance or policy established by the Board of Selectmen and Board of Finance.

The commission reviewed what the best option would be for creating a policy for earmarking funds and decided that they wanted to contact an outside agency such as the Connecticut Association of Conservation and Inland Commissions (CACIWC) or the North Central Conservation District (NCCD).

The commission also discussed the disposition of the funds from the sale of the Porter Road properties to the State of Connecticut.

CONTINUED TO THE AUGUST 29, 2006 MEETING.

MOVED (COSTELLO), SECONDED (AMSEL) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA "EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING REAL ESTATE PURCHASES" AND ENTERED INTO EXECUTIVE SESSION AT 7:45 PM. THOSE PRESENT WERE: SHAWN COSTELLO, JAMES GAGE, JESSE AMSEL, DAVID HURLEY, GLENN EBERLY, WALTER MOODY, GEORGE NICKERSON, ROB PHILLIPS & REANNA GOODREAU.

MOVED (COSTELLO), SECONDED (EBERLY) AND PASSED UNANIMOUSLY TO ADJOURN EXECUTIVE SESSION AT 8:13 PM.

4. Development of deed restrictions and policies for town-owned open space and properties

Rob Phillips explained that East Granby has a policy where two entities are included on town-owned property deeds, such as the town and a land trust. He stated that he would contact the town planner for further information. Commissioner Hurley stated that he would contact an attorney that is a specialist in deed restrictions. Commissioner Moody stated he would inquire with the Tolland town planner.

CONTINUED TO THE AUGUST 29, 2006 MEETING.

V. ADMINISTRATIVE BUSINESS:

1. Approval of the June 27, 2006 Meeting Minutes:

MOVED (AMSEL), SECONDED (NICKERSON) AND PASSED UNANIMOUSLY TO APPROVE THE JUNE 27, 2006 MEETING MINUTES.

2. Correspondence:
 - a. Letter to Dana Steele from Robert Phillips, dated 6/28/06 (staff comments regarding Middlefield Estates subdivision)
 - b. Memo to BOS from CC, dated 6/30/06 (referendum for open space funding)

c. The Habitat, Spring 2006

SO NOTED.

MOVED (COSTELLO), SECONDED (AMSEL) TO ADD TO THE AGENDA: DISCUSSION OF THE OPEN SPACE REFERENDUM.

Chairman Costello stated that he had spoken with the Town Clerk regarding procedures for a citizen-initiated petition for a referendum. He explained the procedure to the members.

The commission discussed the pending open space referendum. Chairman Costello explained that he and Commissioner Gage attended the Board of Selectmen (BOS) meeting to relay their concerns about the referendum being called an open space referendum, but having the funds available for other municipal purposes, such as land for schools and community buildings. Chairman Costello explained that the BOS members discussed earmarking a certain amount of the money for open space purchases. The commission agreed that calling the referendum an open space referendum when the funds were likely not to be used for purchasing open space was misleading to the public. They were concerned that if people voted for it based on the name and then the money was used elsewhere, the citizens would never vote for open space funding again.

The commission further discussed the possibility of a citizen-initiated petition for a referendum. They also discussed the possibility of taking away the request for the referendum if the town would keep the "T" property (formerly the Liebman property) as open space.

MOVED (COSTELLO), SECONDED (GAGE) TO ADD TO THE AGENDA: STATUS OF THE PLAN OF CONSERVATION.

Rob Phillips explained that he had almost completed the final edits to the Plan of Conservation. He reviewed the document with the commissioners. Commissioner Gage noted that the Farm Belt was extended. Mr. Phillips noted that he was unsure about the placement of the lines with relation to undeveloped land in the area and stated that the commission should decide if they would like to have it where it was originally shown.

BY CONSENSUS, THE COMMISSION AGREED THAT THE FARM BELT SHOULD BE DEPICTED ON THE MAP AS COMMISSIONER GAGE HAD ORIGINALLY PRESENTED IT.

VI. ADJOURNMENT:

MOVED (AMSEL), SECONDED (EBERLY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:23 PM.

Respectfully submitted,

Reanna Goodreau
Recording Secretary